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<b>TRANSMITTAL FORM</b>		Application Number	10/646,318
(to be used for all correspondence after initial filing)		Filing Date	08/22/2003
		First Named Inventor	Koenck
		Group Art Unit	3713
		Examiner Name	Not Assigned
Total Number of Pages in This Submission		Attorney Docket Number	14366US02

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) ( sheets)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Return-Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> PTO 1449/08A with references	<input type="checkbox"/> CD Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks	Supplemental Declaration	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

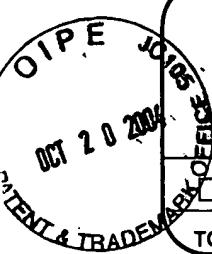
Firm or Individual Name	McAndrews Held & Malloy, Ltd.		
Name (Print/type)	Ronald H. Spuhler	Registration No. (Attorney/Agent)	52,245
Signature	Ronald H. Spuhler		Date: October 20, 2004

### EXPRESS MAIL DEPOSIT

"Express Mail" mailing label number : EV 435 244 675 US

Date of Deposit October 20, 2004.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,530)

## Complete If Known

Application Number	10/646,318
Filing Date	08/22/2003
First Named Inventor	Koenck
Examiner Name	Not Assigned
Art Unit	3713
Attorney Docket No.	14366US02

## METHOD OF PAYMENT (check all that apply)

Check    Credit card    Money    Other    None  
Order

 Deposit Account:

Deposit Account Number

13-0017

Deposit Account Name

McAndrews Held &amp; Malloy

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			20**	= 0 X 0 = 0	
			3**	= 0 X 0 = 0	
				X 0 = 0	

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$ 0)	

\*\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	1,530
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive – unavoidable	
1453 1,370	2453 685	Petition to revive – unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17 (q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,530)

SUBMITTED BY	Complete (if applicable)		
Name (Print/Type)	Ronald H. Spuhler	Registration No. (Attorney/Agent)	52,245
Signature	Ronald H. Spuhler	Telephone	312-775-8000

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Attorney Docket Number 14366US02**



In re Application of: )  
Steven E. Koenck, et al. )  
Serial No. 10/646,318 ) Express Mail Label No.:  
Filing Date: August 22, 2003 ) EV 435 244 675 US  
For: HAND-HELD DATA CAPTURE )  
SYSTEM WITH INTERCHANGEABLE )  
MODULES )  
Group Art: Not yet assigned )  
Confirmation No.: Not yet assigned )  
Examiner: Not yet assigned )  
)

**RESPONSE TO NOTICE OF INFORMAL APPLICATION**

Attention: Mail Stop Missing Parts  
Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the April 20, 2004 Notice of Informal Application (attached as Exhibit A), Applicants submit a Supplemental Declaration (attached as Exhibit B), which has been duly executed by the inventors of the subject matter currently claimed in this application. It is Applicants' current belief that the other ten inventors whose names appear on the Declaration originally submitted in this case (Steven Koenck, Phillip Miller, Arvin Danielson, Dennis Durbin, Keith Cargin, George Hanson, Darald Schultz, Robert Geers, Darrell Boatwright and William Gibbs) did not contribute to the subject matter presently claimed in this particular application. Accordingly, these ten inventors should be deleted. The assignee of record is continuing to verify the proper inventive entity, and expressly reserves the right to amend the current inventive entity if necessary.

It should also be noted that Pamela Lucken (f/k/a Pamela Mahany) executed the Supplemental Declaration on behalf of her deceased husband, Ronald Mahany. Ronald Mahany passed away several years ago, and as such, his estate has been closed and the Administrator has been discharged of any duties. Mrs. Lucken has commenced proceedings with the Court in Cedar Rapids, Iowa to obtain new letters of administration, as required by MPEP Rule 409.01(c). Applicants and Mrs. Lucken believe that the Court will issue such letters in due course, thereby allowing her to currently sign on Ronald Mahany's behalf. See MPEP 409.01(a) ("One who has reason to believe that he or she will be appointed legal representative of a deceased inventor may apply for a patent as legal representative in accordance with 37 CFR 1.42.")

Applicants also submit herewith as Exhibit C a request for a four (4) month extension of time in which to respond to the Notice of Informal Application, along with the appropriate fee. The Commissioner is hereby authorized to charge any additional fees required by this submission to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: October 20, 2004

Respectfully submitted,  
McAndrews, Held & Malloy, Ltd.

By: Ronald Spuhler  
Ronald H. Spuhler  
Reg. No. 52,245  
Attorney for Applicant

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500 West Madison Street  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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14366US02  
 I Links

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/646,318	08/22/2003	Steven E. Koenck	14366US02

23446  
 MCANDREWS HELD & MALLOY, LTD  
 500 WEST MADISON STREET  
 SUITE 3400  
 CHICAGO, IL 60661



**CONFIRMATION NO. 9697**

**FORMALITIES LETTER**



\*OC000000012396203\*

Date Mailed: 04/20/2004

**NOTICE OF INFORMAL APPLICATION**

This application is considered to be informal since it does not comply with the regulations for the reason(s) indicated below. The period within to correct the informalities noted below and avoid abandonment is set in the accompanying Office action.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*encl*  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

*RESPONSE DUE:  
 June 20, 2004*